

### **REMARKS**

Claims 15-33 are pending in the present application. Claim 29 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The drawings were objected to under 37 CFR 1.83(a). Claims 15, 18, 30 and 33 were rejected under 35 U.S.C. §102(b) as being anticipated by Fussell, U.S. Patent No. 4,023,071. Claims 16, 17, 20 21, 31 and 32 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fussell in view of Cook, U.S. Patent No. 4,683,514. Claim 19 was rejected under 35 U.S.C. §103(a) as being upatentable over Fussell in view of Motoori, U.S. Patent No. 5,272,588. Claims 22 and 24 were rejected under 35 U.S.C. §103(a) as being upatentable over Fussell in view of Motoori and Hill et al., U.S. Patent No. 3,878,423. Claims 23 and 25 were rejected under 35 U.S.C. §103(a) as being upatentable over Fussell in view of Motoori and Hill et al. and Cook. Claims 26 and 27 were rejected under 35 U.S.C. §103(a) as being upatentable over Fussell in view of Cook and Altmaler et al., U.S. Patent No. 5,754,385. Claim 28 is rejected under 35 U.S.C. §103(a) as being upatentable over Fussell in view of Cook and Cwirzen et al., U.S. Patent No. 4,613,732. Claim 29 rejected under 35 U.S.C. §103(a) as being upatentable over Fussell in view of Cook, Cwirzen et al. and Eldridge et al., U.S. Patent No. 2,664,518.

Claims 15, 20 and 30 have been amended. Claims 16 and 32 have been canceled. Reconsideration of the application is respectfully requested.

### **Acknowledgement of information disclosure statement**

On June 25, 2004, applicants filed an information disclosure statement together with Form PTO-1449 and cited references. Applicants respectfully request that the Examiner provide an initialed and signed copy of the Form PTO-1449 indicating that he has considered the references. A copy of the previously filed Form PTO-1449 is submitted herewith for the Examiner's convenience.

### **Rejection under 35 U.S.C. §112, second paragraph**

Claim 29 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner has indicated that the "outer pressure cylinder" of claim 29 is not shown in the drawings or disclosed properly in the specification. It is respectfully submitted that the

Preliminary Amendment filed by Applicants on June 25, 2004 included amendments to the specification (paragraph [0034]) providing proper disclosure of the outer pressure cylinder, and an amended Fig. 5 showing the outer pressure cylinder with reference number 18. Applicants respectfully request entry of the amendments to the specification and consideration of the amended Fig. 5. Applicants can provide a copy of the Preliminary Amendment upon the Examiner's request.

Withdrawal of the rejection to claim 29 under 35 U.S.C. §112, second paragraph, is respectfully requested.

Objection to the drawings

The drawings were objected to under 37 CFR 1.83(a). The Examiner has indicated that the "outer pressure cylinder" of claim 29 is not shown in the drawings. As discussed above relative to the rejection under 35 U.S.C. §112, second paragraph, Applicants submitted, in the Preliminary Amendment filed June 25, 2004, an amended Fig. 5 showing the recited outer pressure cylinder with reference number 18. Applicants can provide a copy of the amended Fig. 5 upon the Examiner's request.

Withdrawal of objection to the drawings under 37 CFR 1.83(a) is respectfully requested.

Rejections under 35 U.S.C. §102(b), §103(a)

Claims 15, 18, 30 and 33 were rejected under 35 U.S.C. §102(b) as being anticipated by Fussell, U.S. Patent No. 4,023,071. Claims 16, 17, 20 21, 31 and 32 were rejected under 35 U.S.C. §103(a) as being upatentable over Fussell in view of Cook, U.S. Patent No. 4,683,514. Claim 19 was rejected under 35 U.S.C. §103(a) as being upatentable over Fussell in view of Motoori, U.S. Patent No. 5,272,588. Claims 22 and 24 were rejected under 35 U.S.C. §103(a) as being upatentable over Fussell in view of Motoori and Hill et al., U.S. Patent No. 3,878,423. Claims 23 and 25 were rejected under 35 U.S.C. §103(a) as being upatentable over Fussell in view of Motoori and Hill et al. and Cook. Claims 26 and 27 were rejected under 35 U.S.C. §103(a) as being upatentable over Fussell in view of Cook and Altmaier et al., U.S. Patent No. 5,754,385. Claim 28 is rejected under 35 U.S.C. §103(a) as

being upatentable over Fussell in view of Cook and Cwirzen et al., U.S. Patent No. 4,613,732. Claim 29 rejected under 35 U.S.C. §103(a) as being upatentable over Fussell in view of Cook, Cwirzen et al. and Eldridge et al., U.S. Patent No. 2,664,518.

Fussell describes a transient and surge arrestor having a three-electrode arrestor 50 in which striking one of the gaps cause the other two gaps to fire virtually simultaneously. See col. 6, lines 16-29, and Fig.3.

Cook describes a surge voltage protective circuit having a voltage arrestor 51 with four electrodes 53, 55, 57, 59 in a common enclosure. A step-up transformer 77 is connected to the trigger electrode 59 for causing igniting of all the electrodes. See col. 3, line 60, through col. 4, line 15, and Fig. 3.

Independent claims 15 and 30 of the present application have been amended to include the limitations of dependent claims 16 and 32, respectively. Claims 16 and 32 have been canceled. Claim 15, as amended, recites a multipole overvoltage protection system including first and second overvoltage protection elements connected in respective legs of a multiphase power supply system, with "a first ignition aid associated with the first overvoltage protection element" coupled to "a second ignition aid associated with the second overvoltage protection element." Claim 30, as amended, recites a method for operation of a multipole overvoltage protection system having first and second overvoltage protection elements connected in respective legs of a multiphase power supply system, wherein "the first overvoltage protection element includes a first ignition aid; and the second overvoltage protection element includes a second ignition aid connected so as to ignite when the first ignition aid ignites and so that the first ignition aid ignites when the second ignition aid ignites."

It is respectfully submitted that neither Fussell nor Cook teach or suggest the above-recited features of claims 15 and 30, nor would a combination of Fussell and Cook, to the extent proper, provide the above-recited features of claims 15 and 30. As noted by the Examiner (see Office Action at page 5, lines 3-5), Fussell does not disclose ignition aids. Regarding Cook, in contrast to the recited features of claims 15 and 30, this reference shows

a single step-up transformer 77 for igniting both supply line electrodes 53 and 55. See Cook, col. 3, line 60, through col. 4, line 15, and Fig. 3. Thus it would not have been obvious to provide the device of Fussell with respective ignition aids for each leg of a multiphase power supply system, as recited in claims 15 and 30. Cook does not teach or suggest this feature. In fact, Cook teaches away from providing respective ignition aids in each leg of a multiphase power supply system. The only example Cook provides of protecting a multiphase power supply system specifically teaches a single step-up transformer 77 for igniting both legs. See Cook, Fig. 3. This is apparently sufficient to achieve protection of the semiconductor arrestors 69, 71 (see Cook, col. 4, lines 15-19). In any event, Cook provides no suggestion for a respective ignition aid for each of the power supply legs.

Because neither Fussell nor Cook teach the above-recited feature of independent claims 15 and 30, as amended, a combination of these references, to the extent proper, could not render these claims or their respective dependent claims obvious. Nor does any of Motoori, Hill et al., Altmaler et al., Cwirzen et al. or Eldridge et al. teach or suggest the above-recited features missing from a Fussell and Cook. Therefore, a combination of one or more of these references with one or more of Fussell or Cook could not render any of the claims obvious.

Withdrawal of the respective rejections of claims 15-33 under 35 U.S.C. §103(a) based on respective combinations of two or more of Fussell, Cook, Motoori, Hill et al., Altmaler et al., Cwirzen et al. and Eldridge et al. is respectfully requested.



Appl. No. 10/500,353  
Resp. Dated April 19, 2006  
Reply to Office Action of October 19, 2005

Atty. Docket No. 5028.1004

CONCLUSION

It is respectfully submitted that the application is now in condition for allowance.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: Erik R. Swanson

Erik R. Swanson, Reg. No. 40,833

Davidson, Davidson & Kappel, LLC  
485 Seventh Avenue, 14th Floor  
New York, New York 10018  
(212) 736-1940